UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,829	09/10/2003	Marc E. Nijdam	020387	5962

23696 7590 12/02/2005	EXAMINER
QUALCOMM, INC 5775 MOREHOUSE DR. SAN DIEGO, CA 92121	BULLOCK JR, LEWIS ALEXANDER

	ART UNIT	PAPER NUMBER
	2195	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/659,829	NIJDAM, MARC E.
	Examiner	Art Unit	
	Lewis A. Bullock, Jr.	2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-15* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-15* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Drawings

The examiner acknowledges that informal drawings have been filed.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by

ABBOTT (U.S. Patent Application Publication 2003/0033344).

As to claim 1, ABBOTT teaches a method for operating a virtual machine to

provide continuation passing in a wireless device (handheld device) (pg. 3, paragraph

0049), wherein the virtual machine comprises a stack memory (stack area / stacks) (pg.

5, paragraph 0062), and the method comprises: encountering a context-creating trigger

(save routine / store routine) (pg. 9, paragraph 0125; pg. 8, paragraph 0110; pg. 9,

paragraph 0128 – pg. 10, paragraph 0131); constructing a continuation block (linked

list) in response to the trigger, wherein the continuation block comprises a stack

fragment derived from the stack memory (via unwounding and encoding of the stack

before saving) (pg. 8, paragraphs 0105 – paragraph 0111); encountering an evaluation

instruction (restoring instruction); and storing the stack fragment from the continuation

block (linked list) on the stack memory (stack area / stack) in response to the evaluation

instruction (pg. 10, paragraph 0134 and 0136).

As to claims 2 and 3, ABBOTT teaches the context-creating trigger comprises a

selected program instruction or a program marker associated with a program instruction

(via a save instruction / store instruction) (pg. 9, paragraph 0125; pg. 8, paragraph

0110; pg. 9, paragraph 0128 – pg. 10, paragraph 0131).

As to claim 4, ABBOTT teaches the continuation block (linked list) and restoring

the continuation block into a stack area by reloading the block (see page 9, paragraph

0125). Therefore, it would be inherent to the teachings of ABBOTT that in order to

reload the block it would have to be stored at an additional memory area and loaded

again from that memory area.

As to claim 5, ABBOTT teaches jumping to selected program code to evaluate

the continuation (via using the store and restore instruction to analyze the virtual

machine for system errors / debugging / diagnostics) (pg. 10, paragraph 0133-0136; pg.

11, paragraph 0140).

As to claims 6-10, reference is made to a virtual machine that corresponds to the

method of claims 1-5 and is therefore met by the rejection to claims 1-5 above.

As to claims 12-14, reference is made to a virtual machine that correspond to the method of claims 1, 4 and 5 and is therefore met by the rejection of claims 1, 4, and 5 above.

As to claim 15, reference is made to a wireless device that corresponds to the method of claim 1 and is therefore met by the rejection of claim 1 above. In addition see pg, 3, paragraph 0049, wherein a computer system can also be a handheld device.
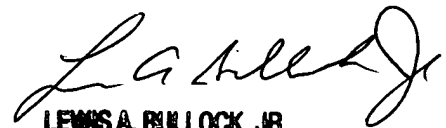
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

November 28, 2005

LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER